

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

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|---------------------------|---|------------------|
| UNITED STATES OF AMERICA, |) | |
| |) | |
| Plaintiff, |) | CASE NO. 05-544M |
| |) | |
| v. |) | |
| |) | |
| GUADALUPE SERRANO- |) | |
| HERNANDEZ, |) | DETENTION ORDER |
| |) | |
| Defendant. |) | |

Offense charged:

Count I: Illegal Reentry After Deportation, in violation of Title 8, U.S.C.,
Section 1326(a).

Date of Detention Hearing: November 16, 2005.

The Court, having conducted an uncontested detention hearing pursuant to Title
18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for
detention hereafter set forth, finds that no condition or combination of conditions which the
defendant can meet will reasonably assure the appearance of the defendant as required and
the safety of any other person and the community. The Government was represented by Don
Reno.

The defendant was represented by Michael Filipovic.

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

- (1) The defendant represents a risk of nonappearance due to the following:
he is a citizen and national of Mexico who has previously been deported;
he has no ties to this district; his ties to the Western District of
Washington are unknown/unverified; and the Bureau of Immigration and
Customs Enforcement ("BICE") has filed a detainer.
- (2) Due to the nature of the instant offense, in combination with the
defendant's serious criminal history and unknown background, release of
the defendant would present a risk of danger to the community.
- (3) The defendant does not contest detention.

Thus, there is no condition or combination of conditions that would reasonably assure
future court appearances.

It is therefore ORDERED:

- (1) Defendant shall be detained pending trial and committed to the custody
of the Attorney General for confinement in a correctional facility
separate, to the extent practicable, from persons awaiting or serving
sentences, or being held in custody pending appeal;
- (2) Defendant shall be afforded reasonable opportunity for private
consultation with counsel;
- (3) On order of a court of the United States or on request of an attorney for
the Government, the person in charge of the correctional facility in
which Defendant is confined shall deliver the defendant to a United
States Marshal for the purpose of an appearance in connection with a
court proceeding; and

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1 (4) The clerk shall direct copies of this order to counsel for the United States, to
2 counsel for the defendant, to the United States Marshal, and to the United States
3 Pretrial Services Officer.

4 DATED this 18th day of November, 2005.

A handwritten signature in black ink, appearing to read "M. Benton", written over a horizontal line.

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6 MONICA J. BENTON
7 United States Magistrate Judge
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